



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicant:** Alan Peter Druschitz, et al. :  
**Serial No.:** 10/655,237 :  
**Attny No.:** 65,278-006 : **Group:** To be assigned  
**Filed :** September 4, 2003 : **Examiner:** To be assigned  
**Title :** A MACHINABLE AUSTEMPERED CAST IRON ARTICLE  
HAVING IMPROVED MACHINABILITY, FATIGUE  
PERFORMANCE, AND RESISTANCE TO ENVIRONMENTAL  
CRACKING AND A METHOD OF MAKING THE SAME

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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR § 1.97(c)(i) and 1.97(e)(i)**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to Rule 97 and in compliance with Rule 56, Applicant hereby makes of record the items listed on the attached Form SB/08. Copies of the listed items are enclosed.

EP 0018445 was submitted by the International Searching Authority from the European Patent Office in the corresponding PCT application and is written in the German language. To this end, and in accordance with 37 CFR § 1.98(a)(3)(i), the Applicant refers to an English abstract of EP0018445, which indicates that EP0018445 discloses a method for producing an austempered ductile iron article having a microstructure of spherical graphite mixed with an austenitic-bainitic microstructure and not a continuous matrix of equiaxed ferrite with islands of austenite, as claimed in the present application.

EP0018445 does not appear to be in the same patent family as ES8104423, which was already cited by the Application along with a complete English language translation. However, Applicant believes that the disclosure of EP0018445 is essentially duplicative of ES8104423.

None of these items disclose the inventive concepts claimed in the subject application.

Applicant respectfully asserts that the substantive provisions of 37 CFR 1.97 and 37 CFR 1.98 are met by the provision of the foregoing statement.

This Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits so no fee is required. Furthermore, each item of information

contained in this Supplemental Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Supplemental Information Disclosure Statement, so no fee is required.

However, should there be any additional fees or any overpayments associated with this document, the Commissioner is hereby authorize to credit or charge our Deposit Account No. 08-2789. A duplicate of this paper is enclosed.

Respectfully submitted,  
**HOWARD & HOWARD ATTORNEY, P.C.**

  
David M. LaPrairie  
**David M. LaPrairie, Registration No. 46,295**  
The Pinehurst Office Center, Suite #101  
39400 Woodward Avenue  
Bloomfield Hills, MI 48304-5151  
(248) 723-0442

March 29, 2004  
Date

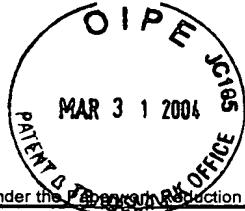
Enclosures:  
PTO-SB/08 w/ 6 Cited References



### CERTIFICATE OF MAILING

I hereby certify that this **Supplemental Information Disclosure Statement** is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to the Commissioner of Patents, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313-1450 on **March 29, 2004**.

Christine M. Wolfe  
Christine M. Wolfe



MAR 3 1 2004

PTO/SB/08A (08-03)

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**Substitute for form 1449/PTO**

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

*(Use as many sheets as necessary)*

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**Complete if Known**

Application Number	10/655,237
Filing Date	September 4, 2003
First Named Inventor	Alan P. Druschitz
Art Unit	TBA
Examiner Name	TBA
Attorney Docket Number	65,278-006

**U. S. PATENT DOCUMENTS**

## FOREIGN PATENT DOCUMENTS

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Substitute for form 1449/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Application Number</b>	10/655,237
				<b>Filing Date</b>	September 4, 2003
				<b>First Named Inventor</b>	Alan P. Druschitz
				<b>Art Unit</b>	TBA
				<b>Examiner Name</b>	TBA
Sheet <b>2</b>	of <b>2</b>		<b>Attorney Docket Number</b>	65,278-006	

<b>NON PATENT LITERATURE DOCUMENTS</b>				
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		<sup>2</sup>
	4	International Search Report of PCT International Application No. PCT/US 03/27198; February 23, 2004		
	5	"Development of Austempered Ductile Cast Iron with Simultaneous High Yield Strength and Fracture Toughness by a Novel Two-Step Austempering		
	5	Process"; Vol. A315; Susil Putatunda; Sept. 30, 2001; Wayne State Univ., Detroit, MI 48202; XP-002269143; Material Science & Engineering A315 (2001) 70-80		

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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